

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED *for*  
*Rhe*  
AUG 24 2007

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**Civil Action No. 7:06cv00752**

## FINAL ORDER

**By: Hon. Jackson L. Kiser**

**Senior United States District Judge**

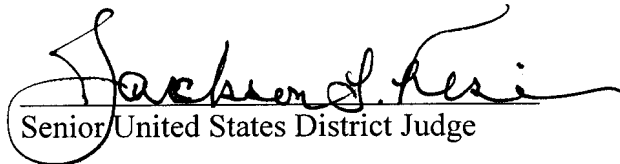
**ADJUDGED AND ORDERED**

that the Motion to Dismiss all claims against Defendant Hubbard (Dkt. No. 40), shall be and hereby is **GRANTED**; and all claims against Defendant Hubbard are hereby **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state any actionable claim; the Motions to Dismiss filed by Defendant Dr. Moses (Dkt. No. 24), which I construe as a Motion for Summary Judgment, and Defendants Simpkins and Wirt (Dkt. No. 40), are hereby **DENIED** and the Defendants are hereby **DIRECTED** to file within twenty (20) days from entry of this Order supplemental Motions for Summary Judgment, supported by affidavit(s), addressing issues including, but not limited to, the following:

and/or his enlarged prostate.

The Clerk of the Court is directed to send a copy of this Order and Memorandum Opinion to Plaintiff and to counsel of record for Defendants.

**ENTER:** This 24<sup>th</sup> day of August, 2007.

  
Senior United States District Judge